

### REMARKS

In view of the above amendments and the following remarks, reconsideration and allowance of this application are requested. Claims 1-40 and 45-52 are pending in this application with claims 1, 14, 29, 30, 31, 36 and 45 being independent. Claim 37-40 have been amended, and claims 41-44 have been canceled. Claims 45-52 have been added.

The Examiner has objected to claims 37-40 as being in improper form because claim 37 improperly depends from itself and claims 38-40 depend from claim 37. Claims 37-40 have been amended to depend from claim 36. Accordingly, applicants request reconsideration and withdrawal of this rejection.

Independent claims 1, 14, 29, 30, 31, 36, and 41 have been rejected along with their dependent claims 2-13, 15-28, 32-35, 37-40, and 42-44 as being anticipated by Hutton (U.S. Patent No. 6,513,066).

Claims 1, 29, and 31 recite a method, apparatus, and computer program for transferring a file from a first client to a second client. Incident to the claimed transfer, are limitations of "sending/send, through the communications system host, a request to the second client to establish a direct connection to the second client; [and] when the second client accepts the request, establishing/establish a direct connection to the second client that bypasses the communications system host ..." Applicant requests reconsideration and withdrawal of the rejection of claims 1, 29, and 31 because Hutton does not describe or suggest the recited operation of sending, through the communications system host, a request to establish a direct connection with the second client and establishing that direct connection if the second client accepts the request.

Hutton discloses a communications system 10 that includes a connection server 26, a first processing unit 12, and a second processing unit 22. On page 3, lines 2 and 18 and on page 4, lines 12 and 13, the Office Action references column 1, lines 37-40 and column 2, lines 7-25 of Hutton as disclosing all of the limitations of claims 1, 29, and 31. Hutton, however, does not describe or suggest "when the second client *accepts* the request, establishing/establish a direct connection to the second client that bypasses the communications system host" (emphasis

added). In Hutton, the first processing unit 12 sends a connection request to the connection server 26 which accesses a database 34 to determine whether the user of the second processing unit 22 is online. If the user is online, the connection server 26 enables the first processing unit 12 to establish a point-to-point Internet connection (i.e., a direct connection) with the second processing unit 12 by sending the Internet Protocol (IP) address of the second processing unit 22 to the first processing unit 12 (col. 6, lines 28-41). The first processing unit 12 then uses the IP address to establish a direct connection with the second processing unit 22. Accordingly, the second processing unit 22 is never given the opportunity to "accept" the establishment of the direct connection with the first processing unit 12, as claimed. For at least this reason, applicants request reconsideration and withdrawal of the rejection of claims 1, 29, 31, and their dependent claims.

Claims 14, 30, and 36 recite a method, apparatus, and computer program that include the limitation "receiving/receive, through the communications system host, a request from the first client to establish a direct connection; accepting/accept the request from the first client; establishing/establish a direct connection to the first client that bypasses the communications system host; ..." For at least the same reasons discussed above, applicants request reconsideration and withdrawal of the rejection of claims 14, 30, 36 and their dependent claims.

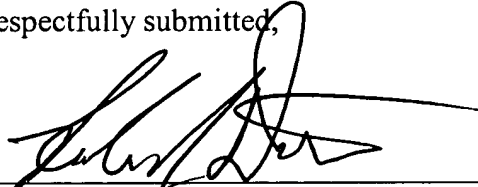
Applicants submit that all claims are in condition for allowance.

Enclosed is a \$110 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

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Respectfully submitted,



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